

DEC 4 1989

Mr. Ken Paulsen  
Amax Mineral Resources Company  
1626 Cole Blvd.  
Denver, CO 80401-3293

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Dear Mr. Paulsen:

This letter and attachment provide comment to the "Cherokee County, Kansas - Baxter Springs/Treece Subsites Draft Work Plan for Remedial Investigation/Feasibility Study (RI/FS) and Endangerment Assessment (EA)" dated November 9, 1989. The Environmental Protection Agency and CH2M Hill have conducted a review of this document. From this review, the Agency recognizes the good faith effort and is optimistic that an agreement can be reached to initiate the conduct of an RI/FS and EA in the very near future. General comment to the work plan is provided below. More specific page-by-page comments are provided in Attachment 1.

The work plan proposes preparation of a preliminary RI/FS, EA based on existing data and provides a description and schedule for additional future activity. The Agency concurs with the approach to gather as much information as possible during the preliminary stage of the RI/FS and recognizes that the direction of future work will be better guided subsequent to such a compilation and assessment of available data. However, the Agency interprets the work plan's proposal for future activity as tentative; qualifiers precede many of the proposed activities. The basic field activities described in the EPA conceptual work plan are considered necessary and must receive recognition and a commitment in the RI/FS work plan. In addition, the Agency cautions against drawing any final conclusions in the preliminary documents described in the work plan.

The sections of the work plan which discuss the Data Quality Objectives and ARAR's are inadequate. Proper consideration of these subjects are critical to all phases of the site specific RI/FS from the planning stage, to guide field activities, through screening of technologies and evaluation of remedial action alternatives. Sections of the EPA conceptual work plan which address DQO's and ARAR's should be referenced and incorporated into the workplan as appropriate.

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The specific comments provided to the work plan in Attachment 1 address inadequacies and problem and controversial statements on a page-by-page basis. Many of these comments are followed by additional information to be considered in response to the comment. The EPA conceptual work plan should also be referenced in responding to many comments. These comments, EPA conceptual work plan, and EPA RI/FS and Risk Assessment guidance provide insight into EPA's position regarding the proposed work. Reference to this information in the future may minimize the degree of EPA comment to future documents. The Agency anticipates that more of a commitment to the future actions and closer reference to EPA guidance will promote a more agreeable relationship with EPA in the oversight role. The function of EPA and its agents as overseers should not be an exhaustive nor an expensive process.

These comments are provided at this time to promote continued negotiations toward signature of a Consent Agreement to conduct an RI/FS, EA for the Baxter Springs and Treece subsites and also in anticipation of our meeting on December 8, 1989 in Denver. Should there be any questions regarding these comments prior to the meeting, please advise.

I again solicit the group of participating PRPs to identify a technical contact person. This person will function as the central point of contact during future discussions on the work plan and planned RI/FS, EA activities.

Should you have any questions with regard to this letter contact me at (913) 236-2856.

Sincerely yours,



Glenn Curtis  
Remedial Project Manager  
Superfund Branch  
Waste Management Division

cc: Barry Sams  
John Richardson  
Corinne Faris  
Gus Matson  
Mark Logsdon  
Gary Uphoff  
Neil Geitner  
Larry Knoche

bcc: Jane Kloechnner